

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

ALICE W. WILSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 18-CV-292-FHM
	)	
NANCY A. BERRYHILL, Acting	)	
Commissioner of the Social	)	
Security Administration,	)	
	)	
Defendant.	)	

**OPINION AND ORDER**

Plaintiff seeks an award of attorney fees in the amount of \$4,422.00 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. [Dkt. 18, 19]. The Commissioner and Plaintiff subsequently agreed and stipulated to the entry of an award of attorney fees in the amount of \$3,547.65. [Dkt. 20].

The court finds that the amount of the agreed fee is reasonable. Based on that finding and the parties' agreement, the court finds that Plaintiff should be awarded EAJA fees in the amount of \$3,547.65. Pursuant to the Commissioner's usual practice, the check should be made payable to Plaintiff and mailed to counsel's address. If Plaintiff's attorney receives the fees awarded herein and attorney fees are also awarded and received by counsel under 42 U.S.C. § 406(b) of the Social Security Act, counsel shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

The Unopposed Motion for Attorney Fees, [Dkt. 20], is GRANTED. This renders Docket No. 18 moot.

SO ORDERED this 8th day of March, 2019.

  
FRANK H. McCARTHY  
UNITED STATES MAGISTRATE JUDGE